

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Confirmation No. 6733
Long Dang *et al.*)
Serial No.: 10/568,765) Group Art No. 1651
Filed: February 12, 2007) Examiner: D. K. Ware
For: Improved Combination of Bacteriolytic)
Therapy for the Treatment of Tumors) Atty. Docket No: 001107.00591

RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENT

Commissioner of Patents
c/o Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Office Action mailed October 2, 2009, Applicants elect group I with traverse. Group I is drawn to a method for treating tumors in a mammal using an anti-tumor agent. This group encompasses claims 1-15.

Applicants request rejoinder of the two groups because the method and kit recite the same two components. Thus they have the same special technical features. Group does not require any special administration means or component, as asserted. Thus this is not a difference between the two groups of claims.

The claims are amended so that the two groups use the very same words. No new matter is added by this amendment.

No fee is believed due in connection with this response. However, should the Patent and Trademark Office determine that a fee is required, please charge our Deposit Account No. 19-0733.